



**EB-2009-0052**

**IN THE MATTER OF** the *Ontario Energy Board Act*  
1998, S.O.1998, c.15, (Sched. B);

**AND IN THE MATTER OF** an Application by Union Gas  
Limited for an order or orders amending or varying the  
rate or rates charged to customers as of July 1, 2009.

## **PROCEDURAL ORDER NO. 2**

Union Gas Limited ("Union" or the "Applicant") filed an application (the "Application") on March 31, 2009 with the Ontario Energy Board (the "Board") seeking approval for final disposition and recovery of certain 2008 year-end deferral account balances including approval and disposition of the market transformation incentive. The requested disposition totals a credit to ratepayers of approximately \$30.707 million.

On April 22, 2009, the Board issued its Notice of Written Hearing and Procedural Order No. 1, setting out particulars of the application and certain procedural dates.

In submissions received by the Board, a number of intervenors expressed concerns with the balances and storage revenues recorded in the Short-Term Storage and Balancing Services Deferral Account (Account 179-70) and the Long-term Peak Storage Services Deferral Account (Account 179-72) (the "Storage Revenue Issue").

Union, in its reply submissions, to be filed on or before May 22, 2009, has the opportunity to respond to the intervenor concerns regarding the Storage Revenue Issue. In the event that intervenors require information in addition to that provided in Union's reply submission, the Board will allow intervenors to ask questions on the Storage Revenue Issue at the May 25, 2009 technical conference pertaining to Union's EB-2009-0101 proceeding.

If the responses provided at the technical conference do not adequately address intervenor concerns, intervenors will be permitted an opportunity to make further submissions to be strictly confined to the Storage Revenue Issue, as it relates to the immediate proceeding.

The Board will now make provision for the following procedural matters.

Please be aware that further procedural orders may be issued from time to time.

**THE BOARD ORDERS THAT:**

1. As set out in Procedural Order No. 1, Union's reply submissions with respect to all issues shall be filed on or before **Friday, May 22, 2009**.
2. Parties will have the opportunity to ask questions relating to the Storage Revenue Issue, as the first agenda item, at the EB-2009-0101 technical conference, involving Board Staff, Intervenors, and the Applicant scheduled for **Monday, May 25, 2009** at 9:30 a.m. The technical conference will be held at 2300 Yonge Street, Toronto in the Board's hearing room on the 25<sup>th</sup> Floor. Responses to undertakings concerning the Storage Revenue Issue, if any, shall be filed with the Board and delivered to the Applicant and other Intervenors on or before **Tuesday, May 26, 2009**.
3. Intervenor submissions on the Storage Revenue Issue, only if necessary, shall be filed on or before **Thursday, May 28, 2009**.
4. Reply submissions of the Applicant on the Storage Revenue Issue, only if necessary, shall be filed on or before **Monday, June 1, 2009**.

All filings to the Board must quote file number EB-2009-0052 and be made through the Board's web portal at [www.errr.oeb.gov.on.ca](http://www.errr.oeb.gov.on.ca), and consist of two paper copies and one electronic copy in searchable / unrestricted PDF format. Filings must clearly state the sender's name, postal address and telephone number, fax number and e-mail address. Please use the document naming conventions and document submission standards outlined in the RESS Document Guideline found at [www.oeb.gov.on.ca](http://www.oeb.gov.on.ca). If the web portal is not available you may email your document to BoardSec@oeb.gov.on.ca. Those who do not have internet access are required

to submit all filings on a CD or diskette in PDF format, along with two paper copies. Those who do not have computer access are required to file seven paper copies. All communications should be directed to the attention of the Board Secretary at the address below, and be received no later than 4:45 p.m. on the required date. With respect to distribution lists for all electronic correspondence and materials related to this proceeding, parties must include the Case Manager, Vincent Cooney at [vincent.cooney@oeb.gov.on.ca](mailto:vincent.cooney@oeb.gov.on.ca) and Board Counsel, Donna Campbell at [donna.campbell@oeb.gov.on.ca](mailto:donna.campbell@oeb.gov.on.ca).

**DATED** at Toronto, May 21, 2009

**ONTARIO ENERGY BOARD**

*Original signed by*

Kirsten Walli  
Board Secretary